

UNITED STATES SECRET SERVICE

HEARING BEFORE THE COMMITTEE ON THE JUDICIARY HOUSE OF REPRESENTATIVES ONE HUNDRED THIRTEENTH CONGRESS SECOND SESSION

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UNITED STATES SECRET SERVICE

WEDNESDAY, NOVEMBER 19, 2014

HOUSE OF REPRESENTATIVES
COMMITTEE ON THE JUDICIARY
Washington, DC.

The Committee met, pursuant to call, at 10:10 a.m., in room 2141, Rayburn House Office Building, the Honorable Bob Goodlatte (Chairman of the Committee) presiding.

Present: Representatives Goodlatte, Coble, Chabot, Issa, Gohmert, Jordan, Poe, Chaffetz, Marino, Gowdy, Labrador, Farenthold, Holding, DeSantis, Conyers, Scott, Jackson Lee, Cohen, DelBene, Garcia, Jeffries and Cicilline.

Staff Present: (Majority) Shelley Husband, Chief of Staff & General Counsel; Branden Ritchie, Deputy Chief of Staff & Chief Counsel; Allison Halataei, Parliamentarian & General Counsel; Sarah Allen, Counsel; Brian Northcutt, Secret Service Detailee; Kelsey Deterding, Clerk; (Minority) Perry Apfelbaum, Minority Staff Director & Chief Counsel; Danielle Brown, Parliamentarian; Joe Graupensperger, Counsel; and Veronica Eligan, Professional Staff Member.

Mr. GOODLATTE. Good morning. The Judiciary Committee will come to order. And without objection, the Chair is authorized to declare recesses of the Committee at any time.

We welcome everyone to this morning's hearing on oversight of the United States Secret Service. Before we begin, I want to make Members aware that the first portion of our hearing is open to the public. There may be items which we cannot discuss in an open setting, because they fall into the category of being law enforcement sensitive information; therefore, after the Director has testified and we have concluded one round of questions, we will recess briefly to clear the hearing room. After that, Members and staff will be permitted to re-enter the room and we will convene the law enforcement sensitive portion of the hearing.

Today we welcome Acting Director Clancy to a hearing to conduct oversight of the United States Secret Service. We very much appreciate you being here today, particularly given that you have only been on the job for a little over a month. You had an exemplary record of service as the head of the Presidential Protective Division, and we're grateful that you agreed to take the reigns of the Secret Service at this critical juncture.

The Secret Service, created by President Lincoln in 1865, has a long and distinguished history. The agency has two primary mis-

sions: criminal investigations and protection of the President, Vice-President and other dignitaries. While protection is clearly the most visible of its two missions, I would be remiss not to mention that the Secret Service has recently had a number of significant investigative accomplishments, including approximately 6,700 arrests for financial and cyber crimes in fiscal year 2014 alone, which prevented more than \$3 billion in losses.

It is important to note that the Service has also had many successes implementing its protective mission. In fiscal year 2014, the Service provided protection for 6,000 travel stops, including more than 2,500 visits by foreign dignitaries, and two national special security events.

Secret Service is entrusted with protecting some of our most valuable assets, including the President, the First Family, and the White House. This is an extremely difficult, high-profile mission, for which there is no margin for error. Recent incidents give me great concern that the policies, procedures and training at the Secret Service are not entirely up to the task.

Just after 7:15 p.m. on September 19, 2014, Omar Gonzalez was able to scale the White House fence, evade numerous Secret Service officers outside the White House and force his way through the unlocked front door, armed with a knife. Although it was initially reported to the public and Congress that Gonzalez was apprehended just inside the north portico doors, we have since learned that he actually made it all the way to the East Room of the White House before being tackled by Secret Service officers.

The Department of Homeland Security's review of this event uncovered a laundry list of errors that evening, including communication systems that didn't work and that officers were not trained to use properly, a construction project along the White House fence that obscured officers' sight lines, unlocked front doors to the White House late on a Friday evening, and a canine officer who was on a personal cell call without his radio ear piece in his ear or his tactical radio at the time Gonzalez scaled the fence. This delayed the officer's response, meaning that the canine was not able to identify Gonzalez as the target.

The report also discusses a number of training and staff issues as well as potential missed opportunities to stop Gonzalez in the months leading up to September 19.

Today's hearing will take place in two parts: A public portion and a closed portion, in which we will drill further down into the deficiencies that have been revealed in the Secret Service's policies and procedures as well as any deficiencies with the physical security at the White House. In particular, I am interested in discussing how the Service intends to improve security at the White House when, as was true on September 19, the President or other protectees are not present.

A month after Omar Gonzalez was able to enter the White House, another fence jumper was quickly apprehended by Secret Service officers, including the canine unit. It is my hope that this incident shows that the service has already implemented important reforms; however, the Gonzalez fence jumper is just one of many events in the past few years that call into question whether the U.S. Secret Service is doing all it can to fulfill its mission and pre-

vent mistakes. Others include the Columbian prostitution scandal, the recent ability of a security guard with a criminal history to take a service weapon into an elevator with the President, and the incident in the Netherlands dealing with intoxicated Secret Service agents.

Given the vital role the Secret Service plays in the security of the President and the White House, it is critical that Congress investigate the Service's response to recent incidents and work with the Service to make sure it fulfills its critical mission. This hearing is intended to do just that.

And since the Ranking Member has not yet arrived, we will go ahead and swear in our only witness, and, again, welcome him.

So, Acting Director Clancy, if you would raise your right hand and repeat after me.

Do you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Thank you very much.

Let the record reflect that the Acting Director responded in the affirmative, and we welcome him.

Joseph P. Clancy was designated as the Acting Director of the United States Secret Service on October 1, 2014, by Secretary of Homeland Security, Jeh Johnson. Prior to accepting the position of Acting Director, Mr. Clancy served as the executive director of cable security at Comcast Corporation. A 27-year veteran of the Secret Service, Mr. Clancy's career there began in 1984 in the Philadelphia field office. Mr. Clancy was appointed special agent in charge of the Presidential Protective Division on February 1, 2009. Mr. Clancy held this position until his retirement from the Secret Service on June 30, 2011.

Mr. Clancy attended the United States Military Academy at West Point and is a graduate of Villanova University with a Bachelor of Arts in political science and criminal justice. Prior to joining the Secret Service, Mr. Clancy worked as a high school teacher and football and baseball coach for the Philadelphia Archdiocese.

Mr. Clancy, we appreciate your presence here today and we look forward to your testimony. Your written statement will be entered into the record in its entirety, and we ask that you summarize your testimony in 5 minutes or less. To help you stay within that, there's a timing light on your table. So welcome, Mr. Clancy.

**TESTIMONY OF THE HONORABLE JOSEPH P. CLANCY,
ACTING DIRECTOR, UNITED STATES SECRET SERVICE**

Mr. CLANCY. Thank you, Mr. Chairman. Good morning, Chairman Goodlatte, Ranking Member Conyers, and distinguished Members of the Committee. Let me begin by recognizing the tremendous support this Committee has given the Secret Service over many years, and acknowledge your staff, both past and present, who worked with us on issues as varied as protection of former Presidents, to cyber crime targeting our Nation's banks and financial institutions.

Forty-four days ago, I embarked on the greatest endeavor of my professional life: the privilege of leading the dedicated and self-sacrificing employees of the Secret Service through a challenging time in the agency's storied history. While returning to public service

after beginning a second career in the private sector was not an easy decision, the call to restore operational excellence to the Secret Service was too urgent to ignore.

I did not come here today expecting this hearing to be easy, but it is my hope that the next several hours will yield productive discussions about the state of the Secret Service.

Without question, the agency has been severely damaged in recent years by failures ranging from disgraceful misconduct on the part of some employees to operational breakdowns that undermine the trust and confidence that previous generations worked so hard to establish.

One of those operational breakdowns was the White House incursion on September 19 of this year. I understand the Committee was briefed last week on the Department's review of the incident. I read the report. I found the findings devastating. What hits the hardest is the range of shortcomings that ultimately allowed Omar Gonzalez to enter the White House practically unencumbered.

Although I firmly believe the Secret Service is better than this incident, I openly acknowledge that a failure of this magnitude, especially in light of other recent incidents, requires immediate action and longer term reform.

The Department found that the level of training for Uniformed Division officers likely contributed to Gonzalez's ability to breach the White House interior, and documented there was confusion regarding the various roles and responsibilities during a fence jumping incident.

To address this issue, I will continue to oversee the integrated training for White House uniformed division officers and tactical teams that was initiated after the September 19 incident. This training involves dynamic scenario-based exercises simulating breaches of the White House grounds. My goal is to ensure that 100 percent of all White House branch officers receive this training by the end of the calendar year.

If someone does attempt to scale the White House fence, I want to ensure they are met with immediate and forceful resistance, but I also view the fence itself as a needed deterrent for would-be jumpers. The Secret Service has long held that prevention is the linchpin of effective security plans, which is why we are currently working with our partners in the National Park Service to look at potential changes that would assist in the detection and delay of any person attempting to scale the White House fence.

Special agent and Uniformed Division staffing levels have direct impact on the Secret Service's ability to conduct regular in-service training. Thanks to additional funding provided by Congress, in fiscal year 2014, the Secret Service was able to hire a total of 238 new law enforcement positions, more than tripling the number of hired over the previous 2 years combined. This fiscal year, we hope to surpass that number and continue our work to achieve staffing levels that are commensurate with mission requirements.

However, I recognize that staffing challenges are not remedied overnight. As it stands now, the recruiting and onboard process takes approximately 12 months, with an additional 7 months of training for new agents and officers.

While staffing concerns within the agency will take some time to resolve, I have taken immediate steps to improve the flow and quality of communication at all levels within the agency. An integral part of why I agreed to serve as Acting Director were troubling reports that some employees saw no option but to take their concerns to people outside the Secret Service rather than trusting their supervisors and the agency's leadership to confront difficult issues head on. That is unsustainable in any organization.

While I have the utmost respect for the employee's right to report incidence of waste, fraud and abuse in a confidential manner without fear of reprisal, I also see an urgent need to reestablish what I view as one of the most basic tenets of a well-functioning workplace: trust your boss that he will stand up and do the right thing.

One of the first actions I took since assuming this position was to foster better communication between the rank and file, their supervisors, and the agency's executive leadership. I conducted town hall style meetings with the Secret Service field offices around the country by video conference. I personally joined officers and agents at the White House complex during their daily roll call.

In the event that employees are apprehensive about discussing their concerns with their supervisors, I instructed the Secret Service ombudsman to establish a mechanism of elevating employee concerns directly to the executive review board for resolution. I made clear the importance of full accountability and directed that I be present when actions are taken.

The core values of the Secret Service, justice, duty, courage, honesty and loyalty, have guided the agency through many challenges over the course of its history. Now more than ever, it is critically important for us to recognize that in the midst of all the turmoil, there is exceptional work being carried out by thousands of Secret Service employees around the country and around the world who embody these core values.

In my view, failure can be an integral part of success, whether that refers to an agency or to an individual. And we are confident we can fulfill our mission with honor and restore the Secret Service's rightful place as the most respected protection service in the world.

Chairman Goodlatte and Ranking Member Conyers, this concludes my opening remarks. I look forward to a good discussion, and will be happy to answer your questions during both the open and closed portions of today's hearing as appropriate. Thank you.

[The prepared statement of Mr. Clancy follows:]

**Statement of Joseph P. Clancy
Acting Director, United States Secret Service
Department of Homeland Security**

**Before the Committee on the Judiciary
United States House of Representatives**

November 19, 2014

Introduction

Good morning, Chairman Goodlatte, Ranking Member Conyers and distinguished members of the Committee. Thank you for the opportunity to appear before you today to discuss the United States Secret Service (Secret Service) in furtherance of your oversight responsibilities.

On October 6, 2014, I embarked on the greatest endeavor of my professional career: the privilege to lead the exceptional men and women of the Secret Service through a challenging time in the agency's storied history. Returning to public service after beginning a successful and second career in the private sector was not an easy decision, but the call to restore operational excellence and public trust in the Secret Service was too urgent to ignore. The agency's integrated mission of protecting our nation's leaders and financial institutions from harm must, for the sake of our country, not fail.

The Secret Service was founded in 1865 to protect the U.S. financial system from the counterfeiting of our national currency. Following the assassination of President William McKinley in 1901, we were tasked with a second, higher profile mission: the protection of the President. Since that time, our integrated mission has expanded and evolved to meet the challenges of the 21st century.

Protection activities have increased and now include ensuring the safety and security of the President, Vice President, their families, former Presidents, Presidential candidates, visiting foreign heads of state, and a number of other U.S. government officials and locations. Additionally, following the terrorist attacks of September 11, 2001, the Secret Service became the lead agency in designing and executing the security plans for designated National Special Security Events (NSSEs).

Criminal investigations focused on protecting our financial institutions have evolved as criminal methodologies have evolved, from an anti-counterfeiting operation at the end of the Civil War to encompass identity theft, access device fraud, and cyber attacks on the nation's financial, banking, and other critical infrastructures.

Our workforce, even as it has decreased in recent years, has risen to meet the challenges of these growing demands. It has not been easy for them. It is an honor for me to sit before you today and represent the men and women of this agency – the special agents,

Uniformed Division (UD) officers, administrative personnel, professional staff, and technical specialists - and I do so proudly.

Current Status

While agents and officers of the Secret Service conduct some of the best law enforcement work in the world, events in recent years suggest that while we strive for perfection, we have, on limited occasions, fallen short of that goal. Incidents of personnel misconduct and operational missteps are being addressed by the Secret Service's Office of Professional Responsibility, Office of Integrity, or the DHS Office of Inspector General. Instead of remaining the organization that prides itself on operating silently and courageously behind the scenes, we are now in the public spotlight. This has had detrimental effects on workforce morale and operational security, both with potentially dire consequences.

I am conducting a comprehensive, bottom-to-top assessment to determine the root cause behind any of these missteps. I have conducted video-conferenced Town Hall meetings with the agency's field offices. I joined officers and agents at the White House complex during their daily roll call. I heard their concerns and it is now my responsibility to act on them. Through active engagement with the agency's supervisors and employees, I not only made clear my expectations for professionalism and personal accountability but also my promise to open the lines of communication between the rank and file, supervisors, and executive leadership.

I share the concerns expressed by many members of Congress that some employees are more comfortable speaking with people outside the agency than they are with their supervisors. This troubles me and was an integral part of why I agreed to return. That is why I addressed communication with my Assistant Directors as soon as I arrived. In the event that members of the workforce are apprehensive about bringing issues to their supervisors, I instructed the Secret Service Ombudsman to establish a process to bring issues and questions directly to the Executive Review Board (ERB) for resolution. This process preserves the anonymity of employees, ensures concerns are being presented on a timelier basis, and includes a mechanism for communication back to the workforce on the concern and the ERB's plan for resolving it. An agency-wide communication has highlighted the "Ombudsman Question Line" and has encouraged employees to leverage this option. In addition, the reverse process has also been addressed, establishing better communication from this agency's leadership down to all personnel. Employees should have every assurance that I will continue to work to share information and find solutions to the issues or concerns they voice.

Incidents

While my focus as the acting Director is on leading the agency forward and ensuring future success, I understand concerns remain over specific incidents. In response to several of these incidents, the agency has taken corrective action as follows:

White House Shooting, November 11, 2011

The accounts of the events and actions following the November 11, 2011 incident, in which the White House was hit by shots fired from Constitution Avenue, have not all

been accurate. However, the delay in identifying evidence of bullet impacts on the structure of the White House is unacceptable. As a result, the agency contemporaneously instituted a systematic process to search the exterior of the White House Complex following any reported shootings in the immediate vicinity of the property.

Centers for Disease Control and Prevention, September 16, 2014

The lack of due diligence on the part of advance team members at the Centers for Disease Control and Prevention on September 16, 2014, was self-reported and prompted an immediate after action review within hours of the President's departure from the area. While the actions of individuals are still being evaluated, the Office of Protective Operations provided guidance and additional written procedures to clarify and reinforce existing policies regarding armed contractors in proximity to the President to prevent similar incidents.

Fence Jumper, September 19, 2014

The fence jumping incident on September 19, 2014, was simply inexcusable. A convergence of failures allowed an individual to gain access to the White House before he was stopped. As a result of these failures, immediate enhancements were made to the White House complex security plan that very night. A review of the incident was conducted by DHS and additional enhancements are being made under my direction. Further productive discussion on the subject of the security enhancements should take place in a classified setting.

While my focus is on moving forward and addressing future challenges, I want to assure you and the public that the past incidents are not treated lightly and do not come without positive change.

Moving Forward

It is important to recognize that when an incident occurs in this agency, our missions don't stop – we must keep moving forward. Putting the previously mentioned incidents behind us, I would like to point out that the vast majority of men and women in the Secret Service continue to perform their duties in an exemplary manner. Today's Secret Service is a protection-driven, investigation-based organization. It is in the framework of this dual, integrated mission where our employees meet extraordinary challenges and thrive.

Integrated Mission

The Secret Service's protective mission preserves the continuity of government and ensures the security of national leaders and events of national significance. Our investigative operations in the agency's field offices are integral to successfully fulfilling this protective mission. Agents in these field offices are used to support protective visits on a daily basis. The success of an agent in the realm of protection is dependent upon his or her "evolutionary" development conducting investigations. The Secret Service's investigative mission seeks to identify the most serious threats posed to the financial sector and disrupt those threats through criminal investigations. The investigative skills that Secret Service special agents develop in the field enhance their abilities and skills as

they advance to a full-time protection detail. The integrated mission of the Secret Service is complementary and mutually reinforcing and should continue to receive equal prioritization for multiple reasons that I would like to illustrate for you.

Prior to an assignment on a permanent protective detail, all special agents begin in a field office as criminal investigators and conduct counterfeit currency, financial, or cyber crime investigations. This sequence provides agents the opportunity to obtain critically important investigative skills and experience. The expertise, maturity, and judgment special agents develop as criminal investigators are essential to their transition into the next phase of their careers – the extremely critical and demanding position of protecting our nation’s highest elected leaders.

During a special agent’s tenure in his or her initial field office, the agent is routinely assigned to temporary protective assignments. The organizational structure of conducting investigations and serving on temporary protective assignments throughout the first phase of their careers fosters development in both investigative and protective arenas and promotes the philosophy of having a cadre of well-trained, experienced personnel capable of handling the Secret Service’s integrated responsibilities.

Equally important in the development of agents, but of greater importance to the protective mission, the Secret Service investigative mission executes another critical function, the investigation of threats against the President and other Secret Service protectees. These investigations are essential in supporting the protective mission. Special agents operate through a network of 141 domestic offices and 21 international locations, responding to threats made against a protectee, 24 hours a day, anywhere in the world. Having developed essential skills through the investigation of financial and cyber crimes, Secret Service special agents are equipped with the experience and expertise to investigate and evaluate threats made against protectees.

Finally, cyber investigations provide an additional medium for special agents to develop a mindset for protective responsibilities. Transnational organized crime costs consumers billions of dollars annually, threatens sensitive corporate and government computer networks, and undermines worldwide confidence in the international financial system. Transnational organized crime groups pose a significant threat as they seek to exploit the weaknesses in the financial and trust systems – banking, stock markets, e-currency, and credit card services – on which the world economy depends. The skillset necessary to pursue these resourceful cybercriminals and unravel complex financial fraud schemes are the same extensive analytical attributes necessary when special agents carry out their protection assignments.

Protection

Protection of the President is paramount, and the Secret Service remains the world’s most respected protection agency. The protection mission is comprehensive and goes well beyond surrounding a protectee with well-armed officers and special agents. The Secret Service currently provides physical protection for 27 people including the President, Vice President, the First Family, all former Presidents, and other government officials, in addition to patrolling more than 500 foreign embassies and missions in the

Washington, DC metropolitan area. Simply put, our operations never stop. They continue around the clock and around the world. Right now, employees in the Secret Service's European Field Offices are finishing their day. Members of the President's detail traveled back from Asia and Australia earlier this week and are working at the White House while they await their next assignment away from home. In addition to preparation for upcoming domestic travel, members of the Vice President's detail are in Morocco and Eastern Europe. And our Uniformed Division officers and special agents are standing post at the White House. Our mission is one that requires constant vigilance and commitment from each of our employees, at all times. Our mission also requires employees to make tremendous sacrifices, including being away from their families, working long hours, and operating in high stress, fast-paced environments.

Over the years, the agency's protective methodologies have become more sophisticated, incorporating such tools as: airspace interdiction systems; chemical, biological, radiological, and nuclear detection systems; and now mitigating the potential impact of network attacks on a protective venue or on the critical infrastructure that supports the venue.

Advances in technology as well as the interdependencies of our country's network systems have required a new paradigm in the way we approach protection. While physical protection remains an absolute priority, we must also address the inherent vulnerabilities of the critical infrastructures upon which security plans are built. Addressing such potential areas of vulnerability is part of the comprehensive security plans the Secret Service develops to provide the highest level of protection to protectees. These plans are built on the backs of the many dedicated employees of this agency. As part of the Secret Service's continuous goal of preventing an incident before it occurs, the agency relies heavily on meticulous advance work, threat assessments, partnering, and protection provided by special agents, officers, specialists, and analysts to identify potential risks to our protectees.

Protection, Fiscal Year 2014

In FY 2014, Secret Service provided protection for approximately 6,000 travel stops and two NSSes. Protective details and field agents ensured protection for over 5,700 domestic stops and more than 390 international stops. Of those stops, roughly 2,500 were made by visiting foreign dignitaries, and over 3,600 by all other protectees. The State of the Union, the Africa - U.S. Leaders Summit, and the United Nations General Assembly were events for which the Secret Service designed and implemented the overall security plans. The Secret Service Uniformed Division completed more than 500 magnetometer/X-ray operations assignments, and screened more than 980,000 members of the public. The Secret Service stopped approximately 800 weapons at magnetometer checkpoints from entering secure venues. The protective mission was also supported by over 7,800 protective surveys and approximately 40 protective intelligence arrests.

These successes would not have been possible without the hard work of our employees and the relationships they have developed with other organizations and law

enforcement agencies throughout their investigative careers. I would like to share a few of them with you today.

Investigations

The Secret Service's investigative mission is critical to the successful performance of our protective responsibilities. The backbone of the Secret Service is our network of domestic and international field offices, which carry out both protective intelligence and criminal investigations while also providing the trained personnel required to support highly variable protective requirements. Moreover, the Secret Service investigative mission continues to produce nationally significant results in its own right.

The investigative mission of the Secret Service has evolved to keep pace with the changing use of information technology in the financial sector. The U.S. financial system faces growing risks from transnational cyber crime, and the Secret Service is steadfast in executing its assigned responsibilities to investigate network intrusions and related crimes in order to protect our Nation's financial payment systems from this cyber threat. Responding to the growth in these types of crimes, and the level of sophistication employed by these criminals, requires significant resources and tremendous collaboration between law enforcement and both public and private sector partners. Accordingly, the Secret Service has made significant investments to developing its cyber investigative capabilities over the past three decades.

The Secret Service has long recognized that partnerships and cooperation act as force multipliers in both our protective and investigative missions. The Secret Service routinely discovers data breaches through our proactive investigations and notifies victim companies with actionable information. For example, this year as result of information discovered through just one of our ongoing cyber crime investigations, the Secret Service has notified hundreds of U.S. entities of cyber criminal activity targeting their organizations.

Additionally, as the Secret Service investigates cyber crime we discover current criminal methods and share this cybersecurity information broadly to enable other organizations to secure their networks. The Secret Service does this through contributing to industry leading annual reports like the Verizon Data Breach Investigations Report and the Trustwave Global Security Report, and through more immediate reports, including joint Malware Initial Findings Reports (MIFRs).

For example, this year UPS Stores Inc. used information published in a joint report by the Secret Service, NCCIC/US-CERT, and FS-ISAC on the Back-Off malware to protect itself and its customers from cyber criminal activity.¹ The information in this report was derived from a Secret Service investigation of a network intrusion at a small retailer in Syracuse, New York. The Secret Service publically shared actionable cybersecurity information derived from this investigation to help numerous other organizations, while protecting the privacy of all involved. For UPS Stores, Inc., the result of this is that they

¹ <http://www.us-cert.gov/security-publications/Backoff-Point-Sale-Malware>

were able to identify 51 Stores in 24 states that had been impacted, and then were able to contain and mitigate this cyber incident before it developed into a major data breach.²

The Secret Service's highly successful network of 37 Electronic Crimes Task Forces (ECTFs) lead these information sharing efforts and associated criminal investigations. The skills our agents develop on our ECTFs working with the private sector and investigating cyber crimes directly translate into the performance of our protective mission. Through our Critical Systems Protection (CSP) program, the Secret Service assess the potential impacts on physical security that could result from malicious cyber activity, and implements effective measures to mitigate and protect against these threats. Our Office of Investigations manages the CSP program, utilizing its highly trained cyber agents to oversee a systematic audit and technical assessment of critical infrastructure and utilities impacting a protective visit, event, or venue.

Investigations, Fiscal Year 2014

In FY 2014, Secret Service field offices closed a total of over 9,000 cases with approximately 6,700 arrests. The Secret Service is proud of its role and success in protecting the worldwide integrity of U.S. currency. The agency prevented the circulation of over \$58 million in counterfeit currency. Our efforts in combating counterfeit currency contributed to less than .0068% of U.S. currency in circulation being identified as counterfeit. Similarly, the Secret Service financial and cyber crime investigations were highly successful with \$3.0 billion in loss prevented through criminal investigations. As a critical component to our cyber crimes investigations, Secret Service Electronic Crimes Special Agents analyzed roughly 1,100 terabytes of data during approximately 5,400 computer forensics exams.

I would like to highlight some examples of the great work the Secret Service is currently conducting in different investigative fields, much of it in strong coordination with the Department of Justice and other law enforcement agencies.

Cyber

Confronted with continued growth of transnational cyber crime, the Secret Service has made investigating cyber crime a top priority. Secret Service cyber crime investigations have resulted in the arrest and successful prosecution of cyber criminals involved in the largest known data breaches. The Secret Service is the lead agency investigating the recently reported data breaches involving Target, Home Depot, P.F. Chang's, Michael's, and numerous other retailers, and is conducting a joint investigating into the J.P. Morgan data breach.

This summer, Secret Service agents arrested Roman Seleznev of Vladivostok, Russia, also known as "Track2" in an international law enforcement operation. Mr. Seleznev has been charged in Seattle in a 40-count superseding indictment for allegedly being involved in the theft and sale of financial information of millions of customers. Seleznev

² UPS Store's press release: <http://www.theupsstore.com/about/media-room/Pages/The-ups-store-notifies-customers.aspx>.

is also charged in a separate indictment with participating in a racketeer influenced corrupt organization (RICO) and conspiracy related to possession of counterfeit and unauthorized access devices.³ This investigation was lead by the Secret Service's Seattle Electronic Crimes Task Force.

In another case, the Secret Service, as part of a joint investigation with U.S. Immigration and Customs Enforcement's Homeland Security Investigations (HSI) and the Global Illicit Financial Team, hosted by IRS-Criminal Investigations, shut down the digital currency provider Liberty Reserve, which was widely used by criminals worldwide to store, transfer, and launder the proceeds of a variety of illicit activities. Liberty Reserve had more than one million users, who conducted approximately 55 million transactions through its system totaling more than \$6 billion in funds. The alleged founder of Liberty Reserve, Arthur Budovsky, was recently extradited from Spain to the United States. Mr. Budovsky is among seven individuals charged in the indictment. Four co-defendants – Vladimir Kats, Azzeddine el Amine, Mark Marmilev, and Maxim Chukharev – have pleaded guilty and await sentencing. Charges against Liberty Reserve and two individual defendants, who have not been apprehended, remain pending. This investigation was lead by the Secret Service's New York Electronic Crimes Task Force.

Counterfeit

In a 2014 case involving a prolific counterfeit note linked to \$77.4 million worth of counterfeit U.S. currency passed or seized globally since 1999, the Secret Service seized \$2.5 million of the counterfeit notes, arrested 13 suspects, and is in the process of seizing \$5 million through asset forfeiture procedures. These actions effectively shut down the large-scale international operation.

Additionally, last month, in Peru, the Secret Service assisted in the arrest of an individual on charges of possession with the intent to distribute foreign counterfeit obligations. Following the arrest, authorities seized over \$6 million in counterfeit U.S. currency. Since 2012, and the opening of the Lima Resident Office, joint investigations with the Peruvian National Police have resulted in the seizure of over \$35 million in counterfeit U.S. currency and the arrests of 50 Peruvian nationals.

Staffing

Although staffing levels have declined in recent years, the organization's workload has not. As a result, UD officers and protective detail agents are experiencing leave restrictions, canceled days off, forced overtime, and the elimination of training. Special agents in the field are experiencing greater travel demands, and offices are forced to shift their investigative priorities. The President's fiscal year 2015 budget request includes funding to support 6,572 full-time equivalents. Ensuring that the Secret Service can sustain its budgeted FTE levels becomes increasingly important, as we look forward to the Pope Francis' upcoming visit in 2015, the Presidential Campaign in 2016, the post-presidency detail for President Obama, and multiple NSSEs.

³ <http://www.justice.gov/usao/waw/press/2014/October/seleznev.html>

As acting Director, I have already begun to work with DHS Headquarters, Secretary Johnson, the Administration, and Congress, including members of this Committee, to develop a comprehensive, forward-leaning strategy to further enhance the Secret Service's workforce and operational capabilities.

We have had challenges in the past expeditiously recruiting and hiring well-qualified applicants that meet the security clearance requirements. The agency has already taken corrective action to address this with special agent and UD officer applicants leveraging authorities granted under Executive Order 11203. With approval from the Office of Personnel Management and our chief counsel, we are streamlining the process to get better qualified applicants identified earlier in the process.

However, this agency is comprised of more than just special agents and UD officers. There are administrative, professional, and technical personnel who are the lifeblood of the organization. We will continue to work with you and other committees to meet the human capital needs of this agency.

Where these fixes fall short, I will continue to be aggressive in addressing our human capital challenges knowing that with sufficient staffing levels, proper training, and continued leadership, this agency will continue to do great things.

Conclusion

I would like to make clear to this Committee, the Congress as a whole, and the American public: I view the position of acting Director as one in which I can effect positive change; I will do all that I can to address any failures within the agency and work with the Administration and the Congress to ensure that my employees have the necessary skills, training, and assets to be successful in carrying out their mission; and, most importantly, even in the midst of adversity, the men and women of the Secret Service will strive to meet and exceed the expectations we place on them. It is my goal to enable this agency, an agency I hold extremely dear, to continue its good work going forward.

Chairman Goodlatte, Ranking Member Conyers, and members of the committee, I would like to close by thanking you for the opportunity to discuss the Secret Service and my vision forward. We are grateful for the leadership, guidance, and, yes, the oversight that you have provided to our agency. Your commitment to our workforce and success as one of the nation's most respected law enforcement agencies is appreciated, and we thank you for that support. I look forward to answering your questions.

Mr. GOODLATTE. Thank you, Mr. Clancy. The Ranking Member has not yet arrived. I will begin the questioning, and when he does arrive, we will recognize him for both his opening statement and questions.

As you know, the officers who were present when Omar Gonzalez jumped the fence on September 19 believed that he was not armed and did not present a threat that would warrant the use of lethal force. It was ultimately discovered that he was, however, carrying a knife when he entered the White House.

Can you explain the Service's policy for the use of lethal force? And given that Mr. Gonzalez did actually have a knife when he entered the White House, do you agree with the decision to withhold lethal force?

Mr. CLANCY. Yes, sir. DHS, Department of Homeland Security, and the Secret Service have a very clear policy on the use of deadly force. Basically what it states is that an officer, when it's necessary, is authorized to use deadly force if the individual poses an immediate danger of death or serious bodily injury to the officer, the agent or to someone else.

Mr. GOODLATTE. And what non-lethal options does an officer have to subdue or stop a fence jumper?

Mr. CLANCY. Sir, officers, in addition to their weapon, they have batons, they have CS spray, more or less the pepper spray, and obviously they're trained to use their hands as well to transition to that mode.

Mr. GOODLATTE. Now, are you looking into other options?

Mr. CLANCY. Sir, we're always looking at other options that are available. We have close consultation with other agencies and we share information. So we're always evaluating the equipment that we have for our officers and agents.

Mr. GOODLATTE. Concern has been raised that there's an over-reliance on the dogs, on the canines that may have impeded the Service's ability to stop Gonzalez on September 19. Could you comment on that?

Mr. CLANCY. Sir, the canine are obviously a very important asset that we have on the north and south grounds of the White House complex. It is one option of several that officers can use in the event of a fence jumper. It's a decision that the officers have to make depending on circumstances whether to use the canine, but previous jumpers have been confronted with—our officers have used their hands, have used their baton, they've used other equipment to stop these fence jumpers.

Mr. GOODLATTE. Thank you. I want to give you an opportunity to discuss an incident that occurred back in 2011. It's been reported that there was a period of initial confusion about whether gunshots had been fired toward the White House on November 11, 2011, and that officers were told to stand down. Can you comment on what the Service did that evening and the days following to investigate that shooting, and did the Service realize or did it not realize that anything was wrong until the bullets were found on the side of the White House several days later?

Mr. CLANCY. Yes, sir. Thank you. As I've been briefed, when we were aware of shots being fired, initially there was a report over the radio that there was a stand-down order, but that was quickly

overridden. Our officers responded appropriately. They went to their defensive positions at the White House complex, because they did hear some noise that sounded similar to gunshots. We continued to try to identify where those noises came from, we knew there was construction down on Constitution Avenue, but we immediately, within 2 minutes, notified the Park Police of the sounds down by Constitution Avenue.

Within 5 minutes, we located the vehicle that Ortega was driving. Within 30 minutes, I believe, we built an incident command center on Constitution Avenue. And then we continued to stay with the course of the investigation for the next several days.

Mr. GOODLATTE. And how quickly was there a warrant for the arrest of the suspect in that case?

Mr. CLANCY. How many days, sir? As I've been briefed, we identified Mr. Ortega that day as the owner of the vehicle. And then through the process of an investigation through our Pittsburgh field office, we were able to identify where he was located, and I believe November 15th, a warrant was served on him in the state of Pennsylvania.

Mr. GOODLATTE. So within a few days?

Mr. CLANCY. Yes, sir.

Mr. GOODLATTE. Not one day of the event?

Mr. CLANCY. Yes, sir.

Mr. GOODLATTE. With regard to the elevator incident in Atlanta on September 16th of this year, what steps has the Service taken to review and revise its policies and procedures for handling third-party security contractors?

Mr. CLANCY. Yes, sir. Needless to say, sir, that was a break in our procedures. We did not follow procedures in our advance of that visit at the CDC. We have done an investigation on that, and in general, only sworn law enforcement officials should be in close proximity to the President, who are armed. In this case, we did not follow the proper procedures.

It's not a matter of necessarily changing policies, but more of an indication that we need to do better training and reshape some of the training that we're doing with our folks on the protection details.

Mr. GOODLATTE. And on that, what is your policy for determining when third parties may be armed while in the proximity of the President or another protected individual? How do you go about determining that?

Mr. CLANCY. Sir, the advance agent will ask first if there's local security at the site, is anyone armed? And then needless to say, we also do records checks on anyone who's going to be in close proximity of the President.

In this case, again, we failed our procedures in allowing this gentleman to operate the elevator armed.

Mr. GOODLATTE. Thank you very much. My time's expired, and I will now recognize the Ranking Member of the Crime Subcommittee, the gentleman from Virginia, Mr. Scott, for his questions.

Mr. SCOTT. Thank you. Director Clancy, thank you for being here.

Mr. CLANCY. Yes, sir.

Mr. SCOTT. One of the problems we have around here frequently is that when we do budgets, we don't think tax cuts affect the budget and that budget cuts don't affect your ability to provide services. Can you describe a little bit about the budget ups and downs over the last 3 or 4 years?

Mr. CLANCY. Yes, sir. When I came back to the Secret Service and accepted this position, I identified three main areas of concern: one was staffing, one was training, and obviously the morale as well.

Staffing is a complicated issue. Back in 2011, we were at a high point with our staffing. We had appropriately 7,024 security personnel back in 2011. In 2012 and 2013, we had a severe drop-off and there were some uncertain times from a budget standpoint, and also we realized, from what I understand, is that that 7,024 number was unsustainable. We were not able to year after year, continue meet our pay of those employees, so our numbers dropped down.

Now, in 2014, the year 2014——

Mr. SCOTT. Excuse me, Director. Did you need 7,024 people?

Mr. CLANCY. Yes, sir.

Mr. SCOTT. Okay. Keep going.

Mr. CLANCY. So in 2014, with the help of Congress, we were able to hire 238 new security professionals, which was a good help to us, but we were starting from scratch after not hiring very few people in 2012 and 2013. So we're starting to work our way back up, and needless to say, in 2015, that's a priority. Right now we've got scheduled six classes of uniformed officers and six classes of special agents prepared to go through training this year.

Mr. SCOTT. Now, you are understaffed. What does that do to people's vacation time and overtime?

Mr. CLANCY. Yes, sir. It affects their vacation time, it affects overtime drastically. Our Uniformed Division works extremely hard, but very often they get their days cancelled or they have to extend their workday, and that has a severe effect on their morale and obviously has an effect on training, which is something we're going to correct moving forward.

Mr. SCOTT. When you're understaffed, can you explain what happens to training?

Mr. CLANCY. Yes, sir. When we are understaffed, it's difficult to get people out to their training assignments, because of the operational needs of the Service. So one of the things we've done to alleviate that in the short term is we've brought agents in from the field, to take some of these positions that Uniformed Division has at the White House complex so that we can get people out to training.

Mr. SCOTT. What happens when people are not properly trained?

Mr. CLANCY. When we're not properly trained, sir, we fail.

Mr. SCOTT. Now, we have coming up next year another round of sequester, a 10 percent across-the-board cut. What will that do to your staffing, morale and training?

Mr. CLANCY. Sir, that would have an effect on our staff and on our training and on our morale. We will continue to do our very best to fulfill the needs, and we will meet the needs of the protec-

tion of the White House, the first family, we'll do whatever we need to do to make sure we meet those requirements.

Mr. SCOTT. Well, if you meet those requirements, then something's got to give. What priorities will not be met if you need to transfer people onto the White House security?

Mr. CLANCY. Sir, sometimes we do have to reach out to our field offices, who are doing a tremendous job, as the Chairman had mentioned in his opening remarks. We take some of those agents to support us in the protective mode.

Mr. SCOTT. Do you know if the transfer from Treasury to Homeland Security had any effect on your ability to perform your mission?

Mr. CLANCY. Sir, I don't think I'm one to evaluate. I was a young manager when we were in the Treasury Department. Certainly I've had good exposure and experience with the Department of Homeland Security, and we've used them. As I've been briefed, for the most recent United Nations, we used our other components within the Department of Homeland Security to assist us in that United Nations security plan. We used their HSI investigators to help us with post standing, we used their TSA agents to assist us with magnetometers, we used the Coast Guard to assist us with our water, sea support and air support. So we were able to use the components of the Department of Homeland Security to assist us in a very critical mission.

Mr. SCOTT. Just for the record, when the fence jumper incident occurred, where was the President and the First Family?

Mr. CLANCY. Sir, when the fence jumper on September 19 occurred, the President had just left for Camp David and the First Lady was out of the residence as well.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. GOODLATTE. The Chair thanks the gentleman, and recognizes the gentleman from North Carolina, Mr. Coble.

Mr. COBLE. Thank you, Mr. Chairman.

Mr. Clancy, good to have you with us this morning.

Mr. CLANCY. Thank you, sir.

Mr. COBLE. Mr. Clancy, if I were going to pursue an activity to direct attention to me, I believe I would find some exercise other than volunteering as a fence jumper at the White House, but that's me, but maybe I'm in the minority on that roll.

Mr. CLANCY. Yes, sir.

Mr. COBLE. But it's been reported that the Service had multiple contacts with Gonzalez prior to the September 19 incident. Will any review of that event include a review of how information regarding the suspect prior to that date was handled, including information gathered by the Secret Service investigators following Gonzalez's arrest on July 19, 2014?

Mr. CLANCY. Yes, sir. That's correct, sir. And do you want me to explain a little bit what happened during that?

Mr. COBLE. If you would do that.

Mr. CLANCY. Yes, sir. During that time, sir, when Mr. Gonzalez was arrested down in Virginia, our Roanoke office was advised of the arrest. There was consultation between the local authorities and our agents, and at that time, our agents did not interview Mr. Gonzalez. Subsequent to that, when Mr. Gonzalez posted bond, our

agents did interview Mr. Gonzalez. And we were aware of the weapons that he had in his vehicle, we were also aware of the map that he had in his possession.

This is one of the most difficult decisions an agent has to make, make an assessment of someone that they're interviewing with whether or not that individual has the potential or the motive to do harm to any of our protectees. And during that interview, Mr. Gonzalez did not exhibit any of those characteristics. He did not indicate in any way that he wanted to harm any of our protectees, or indicate in any way that he wanted to harm any of our protectees or the President.

Subsequent to that, he did come to the White House, outside the White House perimeter. And as he was walking around the perimeter, one of our uniformed officers noticed he was a little suspicious the way he was walking and there was a bulge in the back of his jacket, as I've been briefed here. And the officer approached him and noticed that he had a hatchet in the back of his pants, as I was briefed.

The hatchet, my understanding is, in D.C. is not in violation of the law if it's considered to be used for camping-type activities, and that's what this individual indicated he had the hatchet for. The individual also gave a consent search of his vehicle. So he was very cooperative during the interview. When they searched his vehicle, there were no weapons found in the vehicle. There were other hatchets, there was other camping equipment again, to his story that he was involved in camping activities. So again, he was released from the interview.

Then subsequently on September 19, he did return to the White House. And, again, three of the officers who were familiar with the hatchet interview recognized him.

And to be candid, one of the things we've addressed since that incident is that we've got to do a better job of communicating. Those officers who saw Mr. Gonzalez walking on the perimeter of the White House did not do a good enough job of communicating to everyone, including our joint operations center, that he was in the vicinity again.

Mr. COBLE. Thank you, Mr. Clancy. Let me put another question to you before that red light illuminates.

Mr. CLANCY. Yes, sir.

Mr. COBLE. Do you intend to review the White House's physical infrastructure for security risks? Is it solely within the discretion of the Service to update the physical security systems in place within the White House and surrounding grounds, and which other agencies or offices, if any, must approve any recommended improvements?

Mr. CLANCY. Yes, sir. That's a good question. Thank you, sir. And we are constantly evaluating all of the security measures at the White House complex. In fact, the very first week, I walked the perimeter of the White House as well as the interior of the White House and looked at the security measures we had in place.

Now, any adjustments we want to make, just as an example, the fence, we have to work with our partners, and we're happy to do that, and we've gotten very good cooperation with our partners, to include the National Capital Planning Commission, the Fine Arts

Commission, the National Park Service, and we work with those agencies on the perimeter of the White House for any adjustments we want to make.

Mr. COBLE. I thank you for that, sir.

Mr. CLANCY. Yes, sir. Thank you, sir.

Mr. COBLE. Mr. Chairman, I yield back.

Mr. GOODLATTE. The Chair thanks the gentleman, and recognizes the gentleman from Tennessee, Mr. Cohen, for his questions.

Mr. COHEN. Thank you, Mr. Chairman. And it's a great honor to follow the gentleman from North Carolina, who has served this Committee so ably for so many years and been a friend to me, and I appreciate that.

Mr. COBLE. Thank you, Mr. Cohen.

Mr. COHEN. Thank you.

The White House protection, does the Secret Service protection begin on the inside of the fence or does the Secret Service have personnel on the outside of the fence on 16th?

Mr. CLANCY. Sir, we have a presence on the outside perimeter as well, yes, sir.

Mr. COHEN. Do the D.C. Police normally also provide some type of perimeter screening?

Mr. CLANCY. Sir, D.C. Police is also on the outside, but the actual perimeter of the protection of the White House complex would be the responsibility of the Secret Service, and we do have people with several different job descriptions on the perimeter of the White House.

Mr. COHEN. On the day in question of September 19, 2014, how many agents were on the 16th Street side, that's opposite Andy Jackson, Lafayette Square, how many folks were on the street beyond the White House perimeter?

Mr. CLANCY. Yes, sir. Sir, typically we would have on the street two Uniformed Division officers, but we also have some countersurveillance units that could be in that area by Lafayette Park. We also have posts that are right inside the gate.

Mr. COHEN. But on the outside—

Mr. CLANCY. On the outside, yes.

Mr. COHEN [continuing]. You have just a couple.

Mr. CLANCY. Yes.

Mr. COHEN. None of them saw this man jump the fence?

Mr. CLANCY. Sir, they saw him prepping to jump the fence. And by that, they can usually see the body language of individuals who—as you know, so many pedestrians come up to the fence, but our officers and other security folks, they recognize when someone is starting to maybe prep to climb the fence. And they started to move in that direction, and as he started to make a move for the fence, they shouted verbal commands, sprinted to Mr. Gonzalez, and they were about an arm's length or two arm's lengths short of reaching him.

Mr. COHEN. And then what did they do then? Did they jump over the fence too, or were they incapable of doing that?

Mr. CLANCY. No, sir. Protocol there, sir, is first to get on the radio. And one of the officers did get on the radio to announce a fence jumper. Then their next role is to clear the fence line of all the guests and all the tourists that are on Pennsylvania Avenue.

And once that individual, in this case, Gonzalez, had climbed over the fence, now it's the responsibility primarily of our emergency response team and our other officers that are inside the fence.

Mr. COHEN. And it's easy to second-guess. I mean, you know, I do it every Saturday in watching football, but nevertheless, doesn't it seem like that they should have tried and been able to leap the fence and chased him from behind, and not just done what you said, to become a radio communication and clear other folks? They didn't try to apprehend the person other than yell?

Mr. CLANCY. No, sir. Everyone has a specific position to hold when an event like that happens, and one of the reasons is because of the canine. One of the tools that we have, it can affect how the canine react to that individual.

But I will say that as a result of September 19, if you go by the White House, you'll see that we have a bike rack there now, which we know is not going prevent someone from jumping the fence, but it's going to allow us to have a little more time to react to someone who may have designs on climbing the fence, so that's been helpful.

Mr. COHEN. Is that the only area we've had any history of people trying to enter the White House from the outside?

Mr. CLANCY. No, sir. We've had people jump the fence on other parts of our perimeter. I will say that the north grounds is more prominent in our people jumping, yes.

Mr. COHEN. Would a moat—

Mr. CLANCY. Moat?

Mr. COHEN. Water—

Mr. CLANCY. Yeah.

Mr. COHEN [continuing]. Six feet—

Mr. CLANCY. Yeah.

Mr. COHEN [continuing]. Around be kind of attractive and effective?

Mr. CLANCY. Yeah. Sir, it may be. One of the things we balance is obviously the accessibility of the White House. We recognize the historic nature of the White House and how the American people should have access to the White House. So we are now in the process of working with our partners at the National Park Services to see if we can do something with the fence. That's our first step, see if we can do something that would still be appeasing to the eye and keep the historical nature of the White House.

Mr. COHEN. Like a higher fence.

Mr. CLANCY. Maybe a higher fence, sir, or maybe some other design.

Mr. COHEN. Because this guy got further in the White House than some of my Republican colleagues have ever gotten.

Mr. CLANCY. Yes, sir. Yes, sir. But you're right, sir. A higher fence would certainly help us, and we're looking for ways and options. In fact, we hope within the next few months to have some renderings, some drawings of some options for people to look at.

Mr. COHEN. And the incident of November 11, there's hardly anything we can do about somebody from a great distance with a rifle, is there?

Mr. CLANCY. Well, it's very challenging. Yes, sir, you're right. But what we have done as a result of that is we've pushed out our

perimeter a little bit further out to Constitution Avenue to monitor that area as well.

Mr. COHEN. I yield back the balance of my time.

Mr. CLANCY. Thank you, sir.

Mr. GOODLATTE. Thank you. The Chair thanks the gentleman, and recognizes the gentleman from Texas, Mr. Poe, for 5 minutes.

Mr. POE. Thank the Chairman.

Thank you for being here. I have a great admiration for the Secret Service. Back in the days when I was a judge in Texas, I had agents bring cases. They were well-prepared and they did very well, and well received by juries, and I think that's still the case today.

Mr. CLANCY. Thank you, sir.

Mr. POE. The Secret Service does a lot of things.

Mr. CLANCY. Yes, sir.

Mr. POE. Is your number one priority protecting the President and the President's family?

Mr. CLANCY. Yes, sir, absolutely.

Mr. POE. So that's number one?

Mr. CLANCY. Yes, sir.

Mr. POE. And everything else is below there and you're in charge of all that?

Mr. CLANCY. Absolutely, yes, sir.

Mr. POE. All right. I believe that the United States, because of who we are, it's really neat that the people can go to the White House where the President lives.

Mr. CLANCY. Yes, sir.

Mr. POE. You can't do that in any other countries—

Mr. CLANCY. No, sir.

Mr. POE [continuing]. Whether it's western countries or third world countries, you can't go see who's in charge, you can't go to their house.

Mr. CLANCY. No, sir.

Mr. POE. And we get to do that, American citizens get to do that.

Mr. CLANCY. Yes, sir.

Mr. POE. I think that's a good thing.

Let's go back to the fence jumpers.

Mr. CLANCY. Yes, sir.

Mr. POE. There have been 16 fence jumpers of recent years. Is that correct?

Mr. CLANCY. Yes, sir. And in October 22nd, I think add one to that. I believe it's—

Mr. POE. 17.

Mr. CLANCY. Yes, sir.

Mr. POE. All right. Jumping the fence, going onto the White House grounds without permission, and I guess that would include Republicans as well going out permission, is a Federal offense, correct?

Mr. CLANCY. Yes, sir.

Mr. POE. Of those 16, leave out Gonzalez, what happened to those 16 other fence jumpers?

Mr. CLANCY. Sir—

Mr. POE. Were they prosecuted? Were they told not to do it again? Were they released at the time? What happened to those 16

fence jumpers who presumably violated Federal law by jumping the White House fence?

Mr. CLANCY. Sir, I know charges were filed. I'll have to get back to you with how that played out in court, sir. I don't have those figures in front of me.

Mr. POE. I would appreciate it if you would take each one of those cases, date and whether they were prosecuted and then the results of the prosecutions.

Mr. CLANCY. Yes, sir.

Mr. POE. And send that to the Chairman of the Committee, who will share it with the rest of us.

Mr. CLANCY. Yes, sir. We'll do, sir.

Mr. POE. But that is the priority of the Secret Service, is protecting the President?

Mr. CLANCY. It is, sir.

Mr. POE. It seems to me that the Secret Service cannot make a mistake. This is one area where you're protecting the President, the President's family, there can't be mistakes; and if there are mistakes, but for some other intervening reason, bad things are going to happen. I believe that that makes your job, I mean, as you know and the Secret Service knows, very serious and very important. There could be no mistakes ever. You cannot do a redo if there is a mistake of security of the President and the President's family.

At the White House, it's not just the Secret Service that is there. There's also the White House police. Is that correct?

Mr. CLANCY. Sir, there's a Uniformed Division branch of the Secret Service that protects the White House facility.

Mr. POE. So they're still Secret Service?

Mr. CLANCY. They're Secret Service, yes.

Mr. POE. They're not White House police?

Mr. CLANCY. Years ago they were called White House Police, many years ago, yes, sir, but now it's Uniformed Division——

Mr. POE. Okay.

Mr. CLANCY [continuing]. Of the Secret Service.

Mr. POE. So it's all Secret Service?

Mr. CLANCY. It is, yes, sir.

Mr. POE. Are there protocols when people jump the fence, 16 people jump the fence, to make sure that the President and the President's family, if that's the ultimate goal of fence jumper to get to them——

Mr. CLANCY. Yes, sir.

Mr. POE [continuing]. That will not happen?

Mr. CLANCY. Yes, sir. And obviously on September 19, we failed in the execution of that security plan, but we do have very specific assignments, responsibilities of all of our tactical units as well as our officers at the White House complex.

Mr. POE. All right.

Mr. CLANCY. And they've been successful in all cases other than——

Mr. POE. Okay. I've got a couple more questions, because I have a minute left.

Mr. CLANCY. Yes, sir.

Mr. POE. You're not trying to say, though, this event occurred because of so-called budget problems, are you?

Mr. CLANCY. No, sir. This is no excuse. It's solely——

Mr. POE. It has nothing to do with the budget, because that's your number one priority, is protecting the President. All the other things the Secret Service do and do well is secondary?

Mr. CLANCY. Yes, sir, that's correct.

Mr. POE. Colombia. How many agents were involved in the scandal in Colombia?

Mr. CLANCY. Sir, as you know, I was not assigned at that time——

Mr. POE. I know you weren't.

Mr. CLANCY [continuing]. But my understanding is——

Mr. POE. I know you weren't in charge. Do you know how many agents were involved?

Mr. CLANCY. There were 13, is my understanding, sir, and I believe 10 are no longer with us.

Mr. POE. Y'all fired 10 of them or let them retire or——

Mr. CLANCY. Yes, sir. There——

Mr. POE [continuing]. Some——

Mr. CLANCY. A mix. Yes, sir.

Mr. POE. Something like that. All right. I thank you for your help today, and good luck to you.

Thank you, Mr. Chairman.

Mr. CLANCY. Thank you, sir.

Mr. GOODLATTE. The Chair thanks the gentleman, and recognizes the gentlewoman from Washington, Ms. DelBene.

Ms. DELBENE. Thank you, Mr. Chair. And thank you, Director Clancy, for being with us today.

Mr. CLANCY. Thank you.

Ms. DELBENE. I wanted to ask you regarding the September 19 incident in particular, can you explain further the radio communications challenges that were experienced? There were several officers who were unable to hear "any comprehensible radio communications" to notify them of the fence jumper leading to, for example, a delay in deploying the canine unit.

So is it concerning to learn that some officers experienced unclear and muffled radio communications about the alarm break, and can you talk about what might have caused these communications challenges, whether it was people didn't know how to operate the equipment properly or whether there was actually problems with the communications infrastructure, the underlying infrastructure?

Mr. CLANCY. Yes. Thank you. We are very concerned with the radio communication. For us to execute our security plan, we've got to have good communication, and that night we did not have the communication we should have had. I did read the report by the deputy security of homeland, Deputy Mayorkas, and he highlighted that as one of our failings, the communication on that evening.

We immediately went out and checked all the radios at the White House complex as well as our Joint Operations Center, and we did discover some areas at the Joint Operations Center that—the commander at the Joint Operations Center, when he put out word that there was a fence jumper, he was under the impression

that his communication would override all the handheld radios, and it did not, but we have now since gone back and we've corrected that, so when the Joint Operations Center has to get a message out, that will override any handheld radio communication.

There was also some reports of the muffling of radio communication. Sometimes that's in the heat of battle. People have to slow down, use radio discipline and explain exactly what happened. But subsequent to that event, we also did a review of any dead spots, were there any dead spots for radio communication at the complex, and we found that there are no dead spots, but the command post was one area that we had to correct, and that has been corrected.

Ms. DELBENE. And given communication is obviously critical to deploying resources around in a situation like this, the report recently issued by DHS suggests that aging infrastructure may have contributed as well. So are there specific resources that might be preventing you from doing the best job you can? Is there modernization to the infrastructure that's going to be important? And can you give me any feedback on what you think would be more helpful in terms of the tools that are available to your officers?

Mr. CLANCY. Yes, ma'am. I'm sorry. As I've been briefed, that is a main concern. Some of our equipment is aging, and that's one of the areas that we are looking at to try to enhance our radio communications. It's outdated, some of it. It's still operational, we can certainly fulfill our mission, but we are always looking to improve the assets that we have.

Ms. DELBENE. And do you know specifically what it is that you would prefer to have or what would be helpful?

Mr. CLANCY. I don't have specifically—I think it's a little more technical than I have facts today, but we'll provide a report for you.

Ms. DELBENE. Thank you. Thank you. I appreciate it.

I think I'll yield back my time. Thank you, Mr. Chair.

Mr. CLANCY. Thank you, ma'am.

Ms. DELBENE. Thank you.

Mr. GOODLATTE. The Chair thanks the gentlewoman, and is pleased to recognize the gentleman from Utah, Mr. Chaffetz, and also to congratulate him on his new assignment in the new Congress as Chairman of the House Oversight and Government Reform Committee. The gentleman from Utah, Mr. Chaffetz.

Mr. CHAFFETZ. I thank the Chairman.

And, Director, I thank you for being here. The President made an exceptional choice by putting you in this position in a difficult situation, and I appreciate your service to this country and your taking on this role.

You have an internal code of conduct. My understanding is that Offense Code 2.4 deals with false and misleading information. Do you expect every person in the Secret Service to live under this code?

Mr. CLANCY. We do, yes, sir.

Mr. CHAFFETZ. There's no exceptions as to who should or should not live under this code about providing false information and the penalties therein?

Mr. CLANCY. That's correct, sir, no exceptions.

Mr. CHAFFETZ. And my understanding is that if it is found that you're providing misinformation, that would lead anywhere between a range of 5-day suspension to removal. Correct?

Mr. CLANCY. Yes, sir.

Mr. CHAFFETZ. Secret Service put out a statement on September 20th, 2014, after the fence jumping incident where they said, "physically apprehended after entering the White House north portico doors."

Is that true or not true?

Mr. CLANCY. That is not true, sir.

Mr. CHAFFETZ. It was further said that, according to Mr. Donovan in an Associated Press article that was posted on September 20, 2014, at 1:24 a.m. Eastern Daylight Time, Donovan said the—Ed Donovan, what's his role for the Secret Service?

Mr. CLANCY. Sir, he's our public affairs office.

Mr. CHAFFETZ. Donovan said the man appeared unarmed to officers, who spotted him climbing a fence, and a search of the suspect turned up no weapons.

Is that true or not true?

Mr. CLANCY. Sir, it's not true. Can I elaborate on that, sir, or—I'm sorry.

Mr. CHAFFETZ. Let me keep going.

Mr. CLANCY. Yes, sir.

Mr. CHAFFETZ. How quickly after he was apprehended did you find the weapon on the suspect that had entered the White House?

Mr. CLANCY. Sir, within minutes, I would have to assume, sir.

Mr. CHAFFETZ. And somehow Mr. Donovan evidently claimed that the suspect turned up no weapon. This is then posted on the Associated Press. Was there ever a correction given to the—posted on the Secret Service Web site or given to the media that this was inaccurate?

Mr. CLANCY. Sir, I don't know the answer.

Mr. CHAFFETZ. So they just let that linger out there in perpetuity. Let me go on.

Operation Moonlight, Mr. Donovan is quoted as saying, "because there were no protective assets used during these checks, there was no impact on protective operations."

Do you believe that to be true or not true?

Mr. CLANCY. Sir, from the inspector general's report, everyone interviewed indicated it did not affect the protection of the President.

Mr. CHAFFETZ. So you have a prowler unit that's outside the White House, you have the President of the United States in the White House—

Mr. CLANCY. Yes, sir.

Mr. CHAFFETZ [continuing]. And you don't believe that there's trouble by taking those protective assets and moving them close to an hour away from the President himself?

Mr. CLANCY. Sir, I've read the inspector general's report, and we respect his report, and we agree with the report that there was poor judgment in sending the prowler unit that distance in this case.

Mr. CHAFFETZ. Well, the inspector general came to the conclusion that the prowler unit would have been unable to respond if there was an incident at the White House.

Mr. CLANCY. That particular prowler unit, yes, that's correct, sir. Any agent that is——

Mr. CHAFFETZ. So did the President have more or less assets around him from the Secret Service by moving the prowler unit away? He had less, right?

Mr. CLANCY. He did not have that unit, yes, sir.

Mr. CHAFFETZ. So there was less protection for the President as opposed to more protection for the President, correct?

Mr. CLANCY. Well, the prowler unit is a reactive unit. It's not a protective unit.

Mr. CHAFFETZ. We don't know if there's going to be an incident on the President. And when you take a prowler unit, how do you come to the conclusion that the prowler unit had no effect on the President's security? You were lucky there was no incident, but what if there was a an incident?

Mr. CLANCY. Sir, I'd have to define what the prowler unit does here. We have agents who are assigned to our Washington field office, and when they are called to the White House to do an interview——

Mr. CHAFFETZ. But—sorry.

Mr. CLANCY. Yes, sir.

Mr. CHAFFETZ. I have the yellow light on. I need to ask the core question here. We've cited at least two, I believe three incidents, where the public was misled, there was false information given, it was not correct.

Was there any disciplinary action, and who's involved in that chain of command to review what the Secret Services say? Because as a Member of Congress, as a United States citizen, the Secret Service misled us on purpose. Was there any consequence to any personnel? Did you follow the code and did you actually suspend or remove people from their service? Was there any penalty or consequence for providing false information?

Mr. CLANCY. Sir, I agree with you that you, and I have the same outrage that you have regarding the communication——

Mr. CHAFFETZ. But I want to know what you did about it.

Mr. CLANCY. Sir, we've got to do a much better job of communicating within the internal——

Mr. CHAFFETZ. No. I want to know if there's any consequence. Did anybody face disciplinary action? You have a major morale problem, and this is why. There doesn't seem to be a consequence to doing something that's in obvious violation of your own internal codes.

Mr. CLANCY. Sir, this was not an intentional violation of the code. We just haven't communicated as well as we should.

Mr. CHAFFETZ. They just made a mistake, an innocent mistake? Was there any consequence?

Mr. CLANCY. No. There was no discipline administered in those examples that you gave, sir.

Mr. CHAFFETZ. With all due respect, and my——

Mr. CLANCY. Yes, sir.

Mr. CHAFFETZ [continuing]. Time has expired——

Mr. CLANCY. Yes, sir.

Mr. CHAFFETZ [continuing]. Until you actually live by your own codes and you hold people responsible and accountable, you're going to continue to have this problem. That's just my own personal view of it from afar, but there have be consequences when people purposely and knowingly mislead the public, the press and consequently the Congress.

Mr. CLANCY. With respect, sir, again, from what I've heard, been briefed, and what I've seen, I would not say it was intentional. There is a difference between misconduct, sir, I think, and operational errors, and I think there is a very clear distinction.

Mr. CHAFFETZ. Did you not know immediately that he was apprehended at the doors or was he apprehended deep in the White House?

Mr. GOODLATTE. The time of the gentleman has expired.

Mr. CLANCY. Yes, sir.

Mr. GOODLATTE. Mr. Clancy will be permitted to answer the question. You can answer that question.

Mr. CLANCY. Yes, sir. Again, how that information was relayed, again, not being there, I don't know how that information was relayed to our public affairs office, but needless to say, it wasn't relayed in the proper manner and we gave bad information, and it's something that we cannot do. We've got to slow down a little bit with our communication, because we know it's critical to give accurate information, and that's what our goal is, but we failed on that day. I agree with you, sir.

Mr. GOODLATTE. The gentleman from New York, Mr. Jeffries, is recognized for 5 minutes for his questions.

Mr. JEFFRIES. Thank you, Mr. Chair.

And thank you, Mr. Clancy, for your service to this country, to the Secret Service and for your presence here today. It's my understanding that the number of threats to this particular President, Barack Obama, and the White House has increased significantly since the President first took office in January of 2009. Is that correct?

Mr. CLANCY. No, sir. I'd say there are spikes, sir, depending on world events. We've noticed over time that threats rise and they lower depending on the world events.

Mr. JEFFRIES. And so how would you characterize, from a comparative standpoint, the number of threats that this White House or this President has faced as compared to modern Presidents over the last 20 or so years?

Mr. CLANCY. Yes, sir. Our protective intelligence department does metrics regarding just what you're referring to here and we do compare it to previous Administrations, previous Presidents. And the last one I looked at, it does look as if the President's threat level has gone up slightly, but that's not unnatural, but it has gone up slightly.

Mr. JEFFRIES. So the President's threat level has gone up to some degree, and at the same time over the last 6 years, we've seen security breach after security breach. I think that is a reason for us to be concerned, if not outraged, as it relates to the state of the Secret Service right now.

Now, as it relates to the concerns that you've established upon your arrival, I think you mentioned three: staffing, training and morale. Is that correct?

Mr. CLANCY. That's correct, sir.

Mr. JEFFRIES. And is it fair to say that the staffing issues that you confront relate to the fact that you don't have the budgetary resources necessary to operate at an optimal level?

Mr. CLANCY. Sir, I think our staffing levels from a budget perspective are appropriate at this time. One of the things we need to do to build our staffing is to better our hiring process. Right now, as I mentioned in an opening statement here, that it takes about 12 months for us to get people hired on, and we've got to do a better job of identifying good, quality people early on in the process so that we can streamline that process, maybe move that from 12 months to 7 months, possibly shorter.

First of all, there's still an incredible interest in the Secret Service. The last job announcement, I'm told, we had 45,000 applicants, but only 72 of those applicants made it through the process and were hired.

Mr. JEFFRIES. Now, if I can hone in on that point—

Mr. CLANCY. Yes, sir.

Mr. JEFFRIES [continuing]. In terms of the interest in the Secret Service, connecting it to the morale problem that you've identified and that Members of this panel and other Members of the Congress have identified, you've got the Elite Presidential Protection Unit, correct?

Mr. CLANCY. Yes, sir.

Mr. JEFFRIES. And that is generally viewed as sort of an optimal assignment within the Secret Service. Is that fair to say?

Mr. CLANCY. In my view, it is, yes, sir.

Mr. JEFFRIES. And you demonstrated yourself to be an excellent leader of that unit during your time there, we're thankful for that.

As it relates to the uniformed service division, there's a general perception amongst many observers of the Secret Service that that is viewed as a less than desirable assignment or on a cast system, perhaps some may say, as it relates to Secret Service hierarchy. Is that fair to say?

Mr. CLANCY. For the Uniformed Division?

Mr. JEFFRIES. Yes.

Mr. CLANCY. That's a very challenging position, yes, sir. Those officers at the White House and the Vice-President's residence and our foreign missions, they have a very challenging position. I have great admiration for what they do, when you consider, as was mentioned here earlier, the number of people that come into the White House. We have over 300,000 people that are screened coming through that White House every year, and these officers are confronted with a variety of issues, and I have great admiration for the work that they do there.

Mr. JEFFRIES. Now, what can you do to sort of improve both the morale and the operational capacity, the ability, the competence of the Members of the uniformed Secret Service division, who play a very important role, and, of course, with the most recent incident that we saw in terms of the fence jumping episode, clearly did not

perform at a level commensurate to what the American people, what the President, what the First Family deserve?

Mr. CLANCY. Yes, sir. Our people desire more training and they have a passion to get out to our Beltsville facility in Maryland for more training, and we've got to get them out there for that additional training. That's one thing that may help their morale.

I think, additionally, we've got to do a better job of communicating and hearing their issues, and that's why we instituted the ombudsman and put more focus on the ombudsman and the anonymity of the concerns that could be sent to the ombudsman, because these officers want to be heard. And the ombudsman sits on my director's staff, so twice a week when I meet with the director's staff, the ombudsman will bring those issues to the table where I'm sitting. And, as much as we want to allow people to communicate up, we've got to communicate down as well, responses to these concerns, and I think that will help the morale of the uniformed officers, too.

So training, better communication, I think will be a good start for helping the uniformed officers.

Mr. JEFFRIES. Thank you. Yield back.

Mr. CLANCY. Thank you.

Mr. GOODLATTE. The Chair thanks the gentleman and recognizes the gentleman from Pennsylvania, Mr. Marino, for his questions.

Mr. MARINO. Thank you, Chairman. Director, it's a pleasure to be talking with you today. It's nice to have a fellow Pennsylvanian in the position as Director of the Secret Service. I've worked with the Secret Service for 18 years as a prosecutor, as a State and Federal prosecutor, and I have nothing but praise for the Secret Service. You have the best of the best, and I have personal experience there, so I thank the agents for their service. The President made the right choice putting you in this position. I can tell instantly from the way you answered several of these questions, the right choice of assigning you as a director. You have your hands full.

There are some changes that have to be made, but I have complete confidence in you that you will square these issues away, improve security, improve morale, et cetera. I do believe that. I'm kind of old-fashioned. I think Secret Service should be with Treasury, not Homeland Security. I think there was a finer system of operation there, no disrespect to Homeland Security. They have their hands full in many other areas. And with that, I'm going to yield back because many of my questions pertain to the second round, so thank you for being here.

Mr. CLANCY. Yes, sir. Thank you sir.

Mr. GOWDY [presiding]. Thank the gentleman. If you will bear with me, I'll recognize the next person, Mr. Cicilline from Rhode Island. I apologize. Forgive me. Would the gentleman yield to the Ranking Member from Michigan?

Mr. CICILLINE. Of course.

Mr. GOWDY. I would recognize the Ranking Member, Mr. Conyers.

Mr. CONYERS. Thank you both, and I apologize for my tardiness, and I, too, welcome Mr. Clancy.

I wanted to raise a little discussion about the 10 people that have successfully climbed over the White House fence. Is there any

thought yet about how we're going to repair this problem that keeps happening, replacement or a different design, or what are your thoughts as you sit here before the Judiciary Committee, sir?

Mr. CLANCY. Yes, sir. There's several levels to this, sir. The first is from our own operational standpoint to address what happened on September 19. We immediately instituted additional training and integrated training between the tactical units and our Uniformed Division officers, first with a 4-hour block of classroom work and then additionally a 6-hour block out at our Beltsville training facility where we would do a much better job and not allow what happened on September 19 to occur again.

But additionally there are some other things that we are looking at to include adjusting either the height of the fence or some modification to that fence. And again, we've worked very well with our partners at National Park Services. We've met with them already regarding this concern, and we're meeting in the very near future with the National Capitol Planning Commission and the Fine Arts Commission. And with those meetings, we think we're going to find some solutions to make it more difficult for people to get over that fence.

Mr. CONYERS. Thank you. Now, the Secret Service performs two huge missions: One, protecting the President, Vice President, their family and other dignitaries, but also investigating crimes against our financial system. Some have raised a question of whether Secret Service should maintain both missions and question whether the investigative mission reduces the effectiveness of the protective mission. Have you examined these issues yet?

Mr. CLANCY. Yes, sir. Thank you, sir. Let me just break it up. Uniformed division, the officers at the White House complex, are strictly there for protection. But on the agent side of the house, we do have very robust investigative field offices throughout the country. We think that is critical to our mission, our protective mission and our overall mission. But the work that our agents do in the field allows them to build skills from working the streets, doing interviews, situational awareness, those skills carry over into the protective mode so that you're much more attentive; you pay attention to your details, helps you with your advance work. There's a direct correlation between the investigative side of the house and the protection side.

To include now with these cyber investigations where we've had great success investigatively, we use a lot of those people in our critical protection systems division which we use on protective movements. We've used them significantly with our national special security events. So that we see the correlation between the physical security of our sites as well as the cybersecurity.

Mr. CONYERS. Thank you. Let me ask you about the September 19 incident. It revealed numerous problems with radio systems, alarm systems, officer training, physical attributes of the White House grounds, and officer performance. Do you have any way of determining, in your capacity as Acting Director, whether we have facilities and training to host full-scale drills to test the equipment so that we can be confident that it will not fail us in the future?

Mr. CLANCY. Sir, just as an example, with the Beltsville training that we've instituted just recently again for retraining, we sent our

officers out there, and we've built a mockup of the White House grounds, so we have the proper distance from the north fence line to the north portico, but it's a mockup out at our Beltsville facility. Ideally in the future, we'd love to have a true replica of the White House so that our dogs can feel comfortable working in the true environment of what the north grounds are like. So that would be a long-term goal to get a mockup of the White House at our training facility.

Mr. CONYERS. Glad to hear you say that. I ask unanimous consent that my opening statement be included in the record, Mr. Chairman.

Mr. GOWDY. Without objection.

[The prepared statement of Mr. Conyers follows:]

Prepared Statement of the Honorable John Conyers, Jr., a Representative in Congress from the State of Michigan, and Ranking Member, Committee on the Judiciary

Today, the Committee will examine the operation of an agency that performs two vital missions for our country: the protection of the President and Vice President and other dignitaries, and the protection of our payment and financial systems.

The Secret Service has done an outstanding job in many instances, with respect to both missions. The Secret Service helped protect the integrity of the nation's economy by closing over 7,000 criminal cases in Fiscal Year 2014, leading to approximately 6,700 arrests.

This year alone, the agency's efforts in investigating financial crimes have saved us \$3 billion. Cybercrime investigations prevented another \$383 million in losses.

With respect to the protection it provides the President, Vice President, and their families, there is no doubt that the determined and dedicated agents of the Secret Service have provided—and continue to provide—a tremendous service to the nation.

However, in recent years, a number of incidents have shaken our trust in the agency, including lapses in protecting the President and the White House, and too many instances in which agents have engaged in misconduct while on presidential trips.

Most notable is the failure, in September of this year, to prevent a man from climbing over the fence and running across the White House lawn into the White House, making it all the way to the East Room before he was apprehended.

This incident demands that we change our approach to White House security, with lessons that should be applied to other aspects of presidential security as well.

First, we must replace the current White House fence with one designed to make it far less likely that anyone may successfully climb over it. The current fence is not adequate.

It is too low and of a design that allows for handholds that are used to propel climbers over the fence.

While I understand that there may be historical considerations and concerns about how a more secure fence might look, I believe a new, more secure fence can be developed to afford greater protection while maintaining the dignity of the building and office it protects.

Next, we must improve the plan and systems for securing the White House from attack from anyone who is able to successfully climb over the fence.

When former Director Julia Pierson testified before the Committee on Oversight and Government Reform on September 30th, she indicated that the breakdown in protection in the September 19 fence jumper incident was a problem of implementation and not a problem of the adequacy of the protective plan. I disagree.

Yes, the evidence shows specific lapses in performance and the use of various alarm systems on September 19—but it also points to a broader set of problems. I am concerned that the Secret Service has taken its protective plans and preparations for granted. It is clear that the equipment, planning, and training that are

supposed to protect the White House are inadequate. All of these areas must be improved.

Unfortunately, we only know that because their deficiencies were exposed by a man who eluded all the Uniform Division officers on post, the Emergency Response Team, and the canine unit on September 19th to make it all the way to the East Room.

Finally, I believe it will be necessary for experts outside of the Secret Service to contribute to regular reviews of the security plans and operations that protect the White House.

Secretary Johnson has appointed a panel of experts to make recommendations concerning the Secret Service and White House security on a one-time basis.

However, I believe a similar group of experts should, perhaps on an annual basis, review the plans and operations related to the security of the White House complex.

Two decades ago, the Delta Force of the U.S. Army evaluated White House security and made a number of recommendations. While I do not know whether these recommendations were good ones, I support the concept of experts from inside and perhaps outside the federal government providing security recommendations to the Secret Service.

I have no doubt that the agency takes its critical, protective mission very seriously.

However, the agency should not be alone in assessing the array of threats and types of attacks that could be attempted against the White House complex. We cannot expect that future threats will be as simple as one individual jumping over the fence.

Our planning must involve thinking outside of the box. I fear that current planning and review has been too insular, even if undertaken by a dedicated agency with the best of intentions.

I make these recommendations because we must improve the manner in which we protect our President, Vice President, and their families.

This Committee has always afforded the Secret Service a high degree of respect and gratitude on a bipartisan basis. I trust that this will continue today and that this hearing will identify additional ways that a good agency may be strengthened so that it will do a better job at accomplishing its various missions.

Mr. GOWDY. I thank the gentleman from Michigan. The Chair would now recognize the gentleman from North Carolina, the former United States Attorney, Mr. Holding.

Mr. HOLDING. Thank you, Mr. Chairman. Director Clancy, thank you for being here. I think it's very good that someone with a long history in the Secret Service is there to address these problems. Like my friend, Mr. Marino, I spent a long time working with the Secret Service and have nothing but the highest respect for all the Secret Service agents that I had the privilege of working with.

Mr. CLANCY. Thank you, sir.

Mr. HOLDING. The Secret Service was always willing to jump into a task force and bring whatever resources that they have to the table. And how to multi task, it's always good when you've got a Secret Service agent working the case. They bring a lot to the table and pride themselves on always having the best prepared cases when they bring them to the U.S. Attorney's office and so forth.

Picking up where Mr. Marino left off, it saddens me to hear the Secret Service is having such morale problems considering just the elevated reputation and stature of the Secret Service. And in talking to agents over the years, some think that the problems with morale started when the Secret Service was taken out of the Treasury and lumped together with a lot of other law enforcement agen-

cies, all great agencies. I'm not deriding them, but, you have a breadth of experience. You were in the Secret Service when the Secret Service was in the Treasury Department. Take a moment and just reflect on that. Do you think that some of these problems started then, and if so, what have you thought about ways to address morale problems that may have started when the Secret Service left Treasury?

Mr. CLANCY. Yes, sir. When I was a younger agent and a younger manager in the Secret Service, we were under Treasury, but I didn't have a lot of exposure to those decisions at that time. So my true management experience has been with the Department of Homeland Security. To be candid, sir, the issues that we've had of late are really a reflection on some of the things we've done. We've got to fix our operational procedures, our conduct, and our morale. Obviously a concern, when I came back from the private sector and saw the reports on the morale issues, that was very concerning.

So that's one of the top three areas I think we need to fix, and I'm committed to working on ways to fix that morale. And as I said earlier, I think training is one thing. We're going to have to build up the training. If we can get our folks trained, they're going to feel more confident in their actions every day; so that's one priority. The other is the communication. Our folks just want to be heard. They see things. They can see how we can be better. They've got good ideas out there. We want to hear their good ideas. If it's an idea that we cannot implement, we need to get word back to them and explain to them why we can't implement that idea that they had.

The key here is communication. People want to be heard. My first day on the job here, I met with our senior staff and said that is one of the priorities we've got to have. We've got to communicate with all of our people, all of our agents, our officers, and our protective staff, and make sure that they're being heard and respected.

Mr. HOLDING. Good. One other follow-up question. Then I'll I yield back. Regarding the security guard who was armed and hadn't been cleared. Were there any other security guards armed but not pinned at the event in Atlanta?

Mr. CLANCY. Sir, as I've been briefed, there were other security at the CDC, but they were not on the inner perimeter. They were on the outside of our inner perimeter which is not uncommon on the outside perimeter to have armed—

Mr. HOLDING. So there were armed security who had not been cleared on the outside of the perimeter. Were there any on the inside of the perimeter like the individual that we've noted?

Mr. CLANCY. As I've been briefed, sir, not on the inside of the perimeter, other than the elevator operator was armed.

Mr. HOLDING. Thank you. I yield back.

Mr. GOWDY. I thank the gentleman from North Carolina. The Chair will now recognize Mr. Cicilline.

Mr. CICILLINE. Thank you, Mr. Chairman, and thank you Mr. Clancy for being with us today.

As you well understand, the protection of the President is a critical national responsibility, and I know that we all recognize that in many ways the work of the Secret Service, really our ability to defend our democracy, is directly tied to our ability to protect the

occupant of the White House, whoever he or she is at any given time. These issues are serious, and I think we all appreciate the seriousness with which you are approaching these new responsibilities, and I thank you for being here to provide some testimony today.

I just want to first focus on, you've made some reference to staffing levels have declined over the last several years while the workload of the agency has not. I'd like to hear from you whether or not, recognizing there are training and personnel and scheduling and communications issues that relate to each of the incidents we're reviewing in particular, are there more generally concerns you have about resources both at the staffing level and in terms of infrastructure, equipment, and the capacity you have to integrate new equipment as it becomes available?

Mr. CLANCY. Yes, sir. First with the staffing levels, we think we are appropriately funded for the staffing levels at this point. Our concern is getting people into our pipeline and getting them hired quicker so that we can build up our staffs. From an infrastructure standpoint, there are some things that we will be looking for additional funding. We've talked about the fence here today. Once we get good renderings, and once we get the approval, if we get the approval, from our partners in the National Capital region, that will be required, some additional funding for that.

But also our communications, we'd like to update our communication systems. We saw that we had some failures on September 19, so our communications need to be upgraded. And then the Vice President's residence, we've got a lot of facilities that we protect. All of those are under constant review, and we always want to update our alarms and cameras, and that's the main focus.

Mr. CICILLINE. I was pleased to hear you say that with respect to additional training to be sure that agents are familiar with the grounds at the White House, that you have some expectations to make some requests for additional facilities at your training facility. But in addition to that, it seems as if staffing policies also played a role in the incident, particularly in the incident on September 19, and that agents being required to work overtime and many shifts in a row and that that obviously contributes to a general weariness and the way seniority plays a role in assignments. So can you speak to kind of what you will be doing or have already done to address the staffing issues to the extent that they are contributing to the kind of experiences?

Mr. CLANCY. Yes, sir. You bring up an excellent point, sir, regarding the staffing, particularly at the White House. We are making a review of our staffing in terms of experience at the White House. We want to make sure we have a good mix of experience as well as newer agents at the White House complex, and that review is ongoing now. We've already completed that review at our other branches of the Uniformed Division.

Mr. CICILLINE. Because it appears that sometimes the least experienced officers are being assigned the most important responsibilities. Isn't that what happens?

Mr. CLANCY. We may have an overabundance of junior officers on some shifts, and that's where we want to find that balance, to

make sure that we've got good experienced, good mentors for those junior agents who may be on duty at the same time.

Mr. CICILLINE. And that's an issue you're examining currently?

Mr. CLANCY. Yes, sir.

Mr. CICILLINE. I should have started with this, and I'll end with this to say that I have enormous respect for the men and women of the Secret Service. I think they have always really represented the gold standard in many ways, and I'm very pleased that you have undertaken the responsibilities to address these deficiencies and to help raise the morale of this agency. It's essential because of the important work that they do, and obviously I think this Committee and this Congress will look to be a partner and support you in any way that you think is necessary to achieve that mission successfully. And with that I yield back.

Mr. CLANCY. Thank you, sir.

Mr. GOWDY. Thank the gentleman from Rhode Island.

Mr. Director, I want to start by also thanking you for your service. I hold law enforcement in very high esteem. In fact, I would be biased toward law enforcement. I think they have been given unique powers in our culture, and with those unique powers come correspondingly unique responsibilities. It's a difficult job, and it takes a different kind of person to be able to do that job. When I hear reports about alcohol abuse while you're either on the job or about to go on the job, and when I hear reports of sexual harassment of female agents or solicitation of prostitution, with all due respect, that just doesn't strike me as a training issue. That's a moral issue. That's a character issue. That's a recruitment issue. If you need to go to a seminar to learn at that stage of your career not to send sexually explicit texts to female agents, you have no business being in the Secret Service. There's a quote from the spokesperson: "Periodically we have isolated incidents of misconduct, just like every organization does." But the Secret Service is not like every organization. That is not a defense to me. You guys are different.

Mr. CLANCY. Yes, sir.

Mr. GOWDY. So from a recruitment standpoint, and we're going to get into jurisdiction in a second. But from a recruitment standpoint, are you getting the recruits you want? Are State and local law enforcement folks, men and women, applying? Are you getting folks with no experience? Talk to me about your recruitment.

Mr. CLANCY. Sir, we're getting a wide range of candidates in our recruitment, but one of the things that we feel, and in my short time here, is that through the USAJOBS we're getting a lot of applicants who may get moved on because they use the right words in that computer system. What we need to do is if any of our people know good quality people, people that have served in the military, people that have law enforcement experience, good quality people, get them to our field offices, get them an interview right away, and then get them into the hiring process. That's the way we used to do it, years ago. And we've got to get back to that where we can bring in good quality people up front.

Mr. GOWDY. Well, I'm going to defer to your expertise. I'll probably have a different perspective on whether or not your jurisdiction should be as expansive as it is. Way back when the earth

cooled, when I used to work with Secret Service, I never got the connection between investigating counterfeit \$100 bills that were created on an ink printer, and protecting the life of the President or the Vice President or a judge. I would rather have a State or local law enforcement officer who used to do homicide cases or child sex assault cases.

I watched ATF in the early 1990's kind of delve more toward Title 21 drug cases. Even though there was no D in ATF, they just found themselves matriculating toward drug cases. I just wonder if it wouldn't be in the Service's best interest to let the Marshals or the Bureau or somebody else handle some of these books of business and just focus on what really is incredibly important, which is protecting the life of our Commander in Chief and our judges and other important people. Why is that the not enough?

Mr. CLANCY. Sir, I appreciate your view. I would say additionally from my earlier statement that our field offices, in addition to the investigations they do regarding counterfeit and cyber crime and whatnot, they also do protective intelligence investigations, so if you're sitting in Kansas City or Texas and there's a threat made to the President, those same field office agents go out and do the investigation. So they've got those skills, and they've got to make judgements on is this someone who could potentially threaten or harm any of our protectees, so they learn those skills as well.

Additionally, when our protectees travel, for example, the President travels to any city within the country, those same field offices, those agents who have already built up rapport with the locals and the county officers, that rapport has already been built through their investigations, and now we're going to rely on them to support us in a protective mission, in a perimeter that we set up, the middle perimeter, the outer perimeter; so those relationships are very strong, and we use that from a protective standpoint. They actually start the advance work. When the President goes to Kansas City, the beginning of that advance work is done by the field agent.

Mr. GOWDY. You're the expert, and clearly I'm not. But I would, it's really tough for me to draw a connection between the investigation of financial crime and the investigation of counterfeiting and protecting the life of X. There may be categories of crime where that is a more natural, seamless transition. I just don't know. You're the boss and I'm not and never will be. There may be books of business that do prepare your agents. I just, I don't see that one. But I will say this, and I'll share with a colleague outside, for whatever reason we tend to have the person who's not responsible before us. The person who you could argue was responsible is no longer in that position, so I'm not going to expend my energy beating up on you. I do not understand not searching the White House when there is any evidence, even a scintilla of evidence of a shooting. I cannot understand not doing that. But it's not fair to you for me to ask you about that. It's not yours. So let the record reflect that I was fair at least on one occasion. And with that, I would recognize the gentlelady from Texas, Ms. Jackson Lee.

Mr. CLANCY. Thank you, sir.

Ms. JACKSON LEE. Mr. Chairman, thank you very much for yielding the time.

This is a very serious hearing, and I'm grateful to the Judiciary Committee for its concern. I particularly want to thank Mr. Gowdy for his words as I associate myself, as I imagine every single Member of Congress does, and that is to recognize, first of all, the storied history of the Secret Service. Mr. Clancy, your name has certainly traveled through many Presidents' careers, and we thank you so very much for your sacrifice. As well, I associate myself with the concept that the most important responsibility, I believe, is the securing of the Commander in Chief, although you, by statute and otherwise, have added additional duties, and I think over the years you certainly have been engaged as a part of the Treasury before your coming into Homeland Security, and our Founding Fathers or fathers and later than that mothers, thought that was an appropriate role for you to be engaged. So obviously changes would require assessment and overhaul from many parties, including Members of the United States Congress. But I did want to put on the record that I thought that no one doubted the respect that we have for the Secret Service, and particularly for the important and crucial role that you have.

As I recall, former Director Pierson was brought on to address the scandals and problems reported about the culture of the Service, and an independent review panel will issue a report in the near future. Just for the record, is that report coming soon?

Mr. CLANCY. Yes, ma'am. That report has been completed.

Ms. JACKSON LEE. And I'm not talking about the one that we received on Homeland Security. Is there another report coming?

Mr. CLANCY. The investigation of September 19 that was conducted by the Deputy of Homeland Security, that's completed. Now there's a Blue Ribbon panel by the Secretary that was set up, and my understanding is by December 15, it will be completed.

Ms. JACKSON LEE. All right. That's the one I'm asking for. I'm familiar with the Homeland Security. So December 15 we can expect that?

Mr. CLANCY. Yes.

Ms. JACKSON LEE. Because that ties in to the reason why Director Pierson was appointed, or at least, besides her competency; but the idea was that there were issues that needed to be addressed before. Is that correct?

Mr. CLANCY. That's correct.

Ms. JACKSON LEE. We also know that every Director has to address emerging threats and resolve staffing, morale problems, et cetera, and so I'm hoping this report will address that question.

Just as an aside, and I'm going into some of the aspects of September 19, but just as an aside, we know that there are issues dealing with morale. I think you acknowledged that?

Mr. CLANCY. Yes, ma'am.

Ms. JACKSON LEE. Are you focusing on trying to address those questions?

Mr. CLANCY. Absolutely.

Ms. JACKSON LEE. And I note that a recent order or notice came out for female agents to wear their hair in a bun as opposed to any other kind of hairstyle. Can you tell me how that helps morale, and how is that relevant to caring for the principles that they have concern for?

Mr. CLANCY. I'm not familiar with that directive, but I will certainly go back after this hearing.

Ms. JACKSON LEE. Would you please check that, and I would appreciate a response back. And I would argue vigorously that that is inappropriate and certainly a contributor to low morale.

Let me continue on. Who is responsible for overseeing the agency's disciplinary processes, ensuring employees are held accountable? Is the discipline consistent and appropriate across the workforce for similar violations? So the base of my question is, who is responsible, and is there an attempt to make sure that there's even-handed assessment of the discipline?

Mr. CLANCY. Yes, ma'am. As a result of the events of Cartagena and some of the other events, the Office of Integrity was set up by Director Pierson, so the purpose of the Office of Integrity is to have one central location where all discipline will be filtered into, and there a decision is made whether or not it's a criminal violation or whether it's a misconduct violation, et cetera. But what we wanted to make sure is that there is a consistency and a discipline that is effective. We have a table of penalties now that will ensure that there is consistency as we are confronted with these either operational errors or misconduct.

Ms. JACKSON LEE. Let me go to two incidences, and let me say that I have the greatest respect for the First Amendment and the greatest respect for the media that has every right to interpret and write articles, please to our broad third estate, know that I do that. But I do know that sometimes we have to get to the facts, so if the Chairman would indulge me, let me just get two facts on the table without any personal acknowledgement as to what is going to happen to the gentleman.

Mr. GOODLATTE. Without objection, the gentlewoman is recognized for one additional minute.

Ms. JACKSON LEE. I'm going to quickly say in one instance on the breach, a gentleman was on the phone, on a personal phone; earplug was not in their ear, and their walkie talkie was locked in their locker. One instance. Second instance is the gentleman on the elevator at the CDC who, as the story is told, was certified and authorized to be there with a gun, had secret clearance from the CDC, and was doing his job.

The facts have come that the time that he took pictures was as he was waving good-bye to the Commander in Chief after he got in the car. Can you tell me how does that trickle up to, if you were at the time the Director, how does that trickle up? Those are incidences that I believe if it was you, I'd want to give you an opportunity to correct it, because those are incidences that with the best mind you couldn't imagine that happening. And the gentleman at the CDC was actually legitimately doing his job, certified, and just got a little star happy and took pictures. Why don't I yield to you and find out because I want to get to the point that we're not knocking off directors every 5 minutes because incidences happen that should have been taken care of by the immediate manager. Mr. Clancy?

Mr. CLANCY. Yes, ma'am. As far as the officer at the White House complex on the cell phone that's been reported by the investigation by the Deputy Secretary of Homeland Security. We waited

for that report to be concluded, and we've forwarded the facts of that report on to our Office of Integrity, so that's under review now for any discipline that may be affected.

Ms. JACKSON LEE. That would be the responsibility of the special agent that was over that area, the White House.

Mr. CLANCY. It's actually the responsibility of this specific central Office of Integrity so that it's removed from his direct supervisor. The Office of Integrity will look at the facts, and they'll make a decision.

Ms. JACKSON LEE. But his actions were under his direct supervisor?

Mr. CLANCY. That's correct. Yes. In regards to the CDC events, that was fully investigated. It was actually self-reported. The agent who saw that the individual in the elevator was armed, he self-reported that. Immediately we had an after action, we had a full inquiry, and those details are also sent to that Office of Integrity to determine what discipline, if any, should be administered.

Mr. GOODLATTE. Time of the gentlewoman has expired.

Ms. JACKSON LEE. I yield back. Thank you.

Mr. GOODLATTE. The Chair recognizes the gentleman from California, Mr. Issa, for his questions.

Mr. ISSA. Thank you. Director, I know we are going to go into a classified section, so I'm going to be brief. Two predecessors ago, we had a scandal. It turned out that this Committee, two other Committees, were never given the full facts. We then had subsequent revelations time and time again. During each of these, Committees of jurisdiction, including my other Committee, Oversight, endeavored to work with your people and Homeland Security to get the full facts. In each case, we did not get the full truth.

Will you pledge today in all cases during your tenure to give us more, not less, and if there's something that may be relevant in even the most spurious way, at least make the staffs of the Committees of jurisdiction aware that there is something else that we may or may not want to pursue, at least in an in-camera format. Because without that, we're playing a game that I don't want to play, ever, and certainly not publicly, which is I ask; you answer. I ask another one to try to see if there's anything else. I don't want to ask publicly, and I don't think the Chairman wants to ask publicly or any of the rest of us, what it is you're not telling us.

Mr. CLANCY. Yes, sir. You have that commitment.

Mr. ISSA. Thank you. Secondly, and I'll end with this as quickly as I can. The term law enforcement sensitive is one that was recently used in, if you will, the two versions of this report. Now, our Committee, our other Committee, and I believe this Committee, got to look in-camera at the sensitive material. Do you know how Fox got what we were only allowed to look at in-camera to get it on the air? In other words, it was on camera while we were still looking at it in-camera.

Mr. CLANCY. No, sir, I'm not aware.

Mr. ISSA. Will you pledge to see if you can find out, and if it came from the offices of the President or anyone else in the Administration, would you at least report back to us so that we know that there's two standards, the standards for the press when convenient, and the standards for Congress. Because I just have to share one

thing with you. I have always felt that an in-camera review followed up with a discussion about what should be made available fully to the Committee and under what conditions is a reasonable middle ground. But if anything is withheld from Congress and asked to look at in-camera, by definition, I think it is fair to say you have, in fact, asserted a form of privilege, or at least the potential for a privilege or sensitivity or near classification, and that bars the Administration from willy-nilly releasing it to the press in order to get, if you will, either a positive spin or get ahead of a story. I hope you'll appreciate the sensitivity?

Mr. CLANCY. Yes, sir. Thank you, sir.

Mr. ISSA. So will you come back with any findings about how that got to Fox before it got to Chairman?

Mr. CLANCY. I will, sir. This is the first I'm hearing about that, yes, sir.

Mr. ISSA. Our staff over at oversight will be glad to share the detailed timeline with your people.

Mr. ISSA. Thank you, and I do yield back the balance of my time, Mr. Chairman.

Mr. GOODLATTE. The Chair thanks the gentleman and recognizes the gentleman from Florida, Mr. DeSantis, for his questions.

Mr. DESANTIS. Thank you, Mr. Chairman. Good morning, Director.

Mr. CLANCY. Good morning, sir.

Mr. DESANTIS. You've been frank about some of the incidences in response to the organization of Secret Service within DHS. You said, look, these are just mistakes that we made. You didn't necessarily attribute to that, and I appreciate it. But I do look, and I think it's important that we in Congress will conduct oversight of how agencies operate. We also have to conduct oversight over legislative products that we've done because you look at the history, Congress has created a lot of problems as well in various different areas. And I think moving the Secret Service to DHS is something that I've been thinking a lot about since these incidents have become more public, and I think we need to do further inquiry. You did mention that when the United Nations operation, protective operation, was undertaken that there was there was utilization of TSA and Coast Guard at the U.N., and I appreciate that, but if the Secret Service was in Treasury, you still would be able to liaison with other agencies. Correct?

Mr. CLANCY. That's correct, sir. Yes, sir.

Mr. DESANTIS. And being part of a bigger bureaucracy, does that make the Secret Service mission, is it conducted more efficiently as a result of that, or are there bureaucratic hurdles that the Secret Service has to deal with that they did not have to when they were part of Treasury?

Mr. CLANCY. Again, sir, it's difficult for me to compare the two because I wasn't in a management role under Treasury. I will say that the Department of Homeland Security is very inclusive. The Secretary had me up there several times to work with the other components and meet with the other components, so there's a good sharing of information.

Mr. DESANTIS. What about, you mentioned you wanted to hire and you're not doing that on the scale you want. Are you competing

for more resources because you're within DHS? I would imagine there are all these different agencies that are being funded and that, and it seems like you would probably have less competition in that regard if you were still in Treasury. Is that accurate?

Mr. CLANCY. Again, it would be hard for me to evaluate and compare to Treasury. I know all the agencies and components in the Department of Homeland Security have very important missions, so we are all vying for those dollars, yes.

Mr. DESANTIS. I know you said you weren't in a management position, but I have retired Secret Service agents in my district. They've served in both capacities, pre-2003, and then after, and I think by and large I get negative feedback about the change. So just when you're talking with people, other agents who have kind of lived through this, is it something that you would say a substantial number of them have misgivings about?

Mr. CLANCY. Sir, I think when we have failures, and what we've had the last several years are really our failures.

Mr. DESANTIS. I understand and you've been frank about that. But I think we always have to look at how are we—we're legislating this stuff. We're funding these different agencies, and if we haven't done that in a way that best meets the needs of the American people, we always have to go back and evaluate. So I'm just curious, because I know there's some morale issues with the Secret Service. If you're just over the water cooler with people who have been in the Secret Service, is it going to be something that people look back and say, man, that was a great thing that Congress did by putting us in with DHS, or are you likely to hear people say, man, I liked it better when we were in Treasury?

Mr. CLANCY. Certainly some people have said that they liked our time in Treasury and had good memories of that time frame. But, again, I have to be focused on our agency and where our failures are and working with our people, and that's really my focus; and others can determine whether or not we're situated properly in the Department of Homeland Security, but I'm really focused on our operational needs.

Mr. DESANTIS. I understand. And as you should be, but we need to always look at this stuff. And it just seemed to me, and again, I'd like to do some more investigation in this. But with Treasury, obviously there's less bureaucracy, but actually for Congress it's good because I think we actually conduct better oversight that way. I think it would be easier. DHS has been problematic for us in terms of oversight of other functions other than the Secret Service. But anyways, I appreciate you stepping up to take this position. I know it's a tough job, and we wish you all the best, and I yield back the balance of my time.

Mr. ISSA. [presiding.] I thank the gentleman for yielding back the remainder of his time. We now go to the gentleman from Texas, from east Texas, Mr. Gohmert.

Mr. GOHMERT. Thank you, Mr. Chairman, and thank you, Director, for being here. We've had different hearings. Secretary of Homeland Security has been here a number of times. There seemed to be in the past a feeling of invulnerability of the White House, the fences, that somehow there was bound to be more security there than you see. So it rattles folks when somebody can jump

over the fence and get there. Somebody else was saying, oh, I think there's two rows of fences. Isn't there just one row of fence around the White House?

Mr. CLANCY. Sir, as a result of September 19, on Pennsylvania Avenue on the sidewalk there, we've now put bike rack in addition to the permanent fence, realizing that people can still get over the bike rack, but what it does is it gives us a little more time to react, so there is bike rack in front of the original fence.

Mr. GOHMERT. How tall is the fence there? I'm not asking anything classified. You can go out there and measure it.

Mr. CLANCY. 7 feet 6 inches, I believe, sir.

Mr. GOHMERT. 7 feet 6 inches. Is there any thought about making it higher. Is it being discussed?

Mr. CLANCY. Yes, sir. It's being discussed, and we have been working very closely with the partners in the region. We have to work with the National Park Service, National Capital Region Planning Commission and the Fine Arts Commission. And we have already started those discussions to work together to see if there is something that is amenable to all the groups so that we keep the historic nature of the White House, but also increase the security measures at the House.

Mr. GOHMERT. I know this was before your time as Acting Director, but do you remember late 2009, there were the Christmas party crashers, the Salahis, that got in there, that were not on the list, and there was a hearing up here on the Hill about it. And it turned out that actually it wasn't so much the Secret Service's fault, that there was a social secretary of the White House who was always supposed to be there and if somebody's not on the list gives the ultimate yes or no and that she had told someone she didn't care about having to be the one to say no, and it left the Secret Service in a terrible bind. But what was obvious to those of us who would go over to the White House regularly was that it was all about appearances after the Christmas party crashers, that even though it really wasn't so much the Secret Service's fault as a breakdown in White House leadership, the Secret Service, who wore plain clothes, suits, were made to start wearing uniforms so that it looked like there was a lot more security there.

And, in fact, we went from just having the one check point, you had to go through there at the southeast corner, to adding another there near the monument and then adding another down on 15th Street.

So pretty clearly it was all about appearance to make it look like, gee, it was the Secret Service's fault, and we've tripled those up, added a bunch of people there when really it wasn't necessary that any more need to be done other than just make sure White House gave proper direction. So my concern has been that there's been too much about appearances and not as much about actual protection. Has there been any thought to just eliminating the fence around the White House? Did Secretary Napolitano ever talk about that, maybe having a virtual fence or electronic fence? Has that been discussed at all?

Mr. CLANCY. Sir, I'm not aware of any discussions in that regard.

Mr. GOHMERT. Would you be in favor of removing the fence around the White House and having a virtual or electronic fence around it?

Mr. CLANCY. Sir, my knee jerk reaction to that would be no, sir, partly because of the number of tourists that come on Pennsylvania Avenue and come right up to that area and take pictures and whatnot.

Mr. GOHMERT. You know, the Secretary has said a number of times, Secretary Napolitano, the fence is worthless. You put a 10-foot fence up, somebody is going to build a 12-foot ladder, so I would think that if the Administration is going to be consistent, it's now time to remove the fence from around the White House, because if it isn't good enough for our border, it shouldn't be good enough for the White House.

So I would ask you to consider that consistency and also consider the fact that maybe there really is some real virtue in having a fence that slows people down, and with that I yield back.

Mr. ISSA. I thank the gentleman. And Director, as originally scheduled, we're going to take a short recess and give you a chance to maybe have just a short bite of lunch. Is 12:30 okay to reconvene?

Mr. CLANCY. Yes, sir. That's perfect.

Mr. ISSA. Okay. We'll have the room made right, and we'll be back in at 12:30. We stand in recess.

[Whereupon, at 11:51 a.m., the Committee was recessed, to be reconvened in executive session.]

